

GOVERNMENT OF ANDHRA PRADESH

Abstract

Establishment – PR & RD Dept. - Extension Officer (PR&RD) – (A) Modification of CPR&RE Proc.No:16802/CPR/II/96, dt.09-03-2000 w.e.f., the date of issue of orders only i.e., w.e.f.09-03-2000 only – **Orders**; and, (B) Continuation of (4) four Senior Inspectors of Co-operative Department working as Extension Officer (PR&RD) and settlement of pensionary benefits in respect of 3 retired and 1 expired Senior Inspectors of Co-operative Department in Panchayat Raj Department, as per orders of the Hon'ble APAT in O.A.No.6617/07 and batch cases, dated 8-9-2009 – Implementation – **Orders** – Issued

PANCHAYAT RAJ & RURAL DEVELOPMENT (E.VII.2) DEPARTMENT

G.O.Ms.No: 137

Dated: 17th April, 2010

Read the following:-

1. From the Commissioner, PR&RE Proc.No:16802/CPR/II/96, dated 09-3-2000.
2. Govt. Memo No:9207/Mdl.II/2000-1, dated 30-3-2000.
3. G.O.Ms.No:434, PR & RD (Mdl.II) Dept., dt.2-12-2002.
4. Orders of Hon'ble A.P.A.T., in O.A.No:11361/2002, dt.6-10-2005
5. G.O.Ms.No:20, PR&RD (E.VII) Dept., dt.23-1-2006.
6. Govt. Memo No:744/E.VII.2/2007-3, dt.17-10-2007.
7. Orders of Hon'ble APAT dated 8-9-2009 in O.A.No:6617/2007 and batch cases.
8. Govt. Memo No:744/E.VII.2/2007-17, dt.16-10-2009.
9. W.P.No.27645/2009 in Hon'ble High Court of AP
10. C.A.No:1146/2009 in O.A.No:6464/2007 dated 11-12-2009.
11. From the Commissioner of PR & RE, A.P., Hyderabad Lr.No.21382/CPR-K1/02, dt.20-01-2010 & 12.4.2010.

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ORDER:

34 Senior Inspectors of Co-operative Department were absorbed in Panchayat Raj & Rural Development Department (then as MCRDOs and now re-designated as Extension Officer (PR&RD) vide reference first read above.

2. On the above said absorption orders of Commissioner, Panchayat Raj & Rural Employment, some of Panchayat Raj Associations represented; and, Government stayed the above said orders of Commissioner, Panchayat Raj & Rural Employment, vide reference Second read above.

3. After protracted correspondence and the orders of Hon'ble A.P. Administrative Tribunal thereon, at several intervals, spanning several years, finally, out of the above said 34 Senior Inspectors of Co-operative Dept., 25 Senior Inspectors of Co-operative Dept., rejoined in their parent Co-operative Dept., - but, 9 Senior Inspectors of Co-operative Dept., did not rejoin in their parent Co-operative Dept., by filing O.As in Hon'ble A.P. Administrative Tribunal for their continuation in Panchayat Raj Department.

4. The above said 9 Senior Inspectors of Co-operative Dept., under orders of repatriation, filed O.A.Nos.6617/07, 6492/07, 6464/07 and 7216/07 in the Hon'ble A.P. Administrative Tribunal and during the course of O.As, pending before the Hon'ble Tribunal, one (1) Senior Inspector of Co-operative Dept., also rejoined in his parent Co-op Dept.; and, the remaining 8 Senior Inspectors of Co-operative Dept., continued the O.As, wherein the Hon'ble Tribunal in its order dated 08-09-2009 in O.A.No:6617/2007 and batch cases, observed – based on Finance Department clarification dated 14-7-2009 - that these Senior Inspectors of Co-operative Dept., do not have lien in their parent Co-operative Dept.; and, ordered to release pensionary benefits of the applicants, who retired / expired; and, to take into service and continue the applicants (not retired), with all consequential benefits, vide reference Seventh read above.

5 On the above said orders of Hon'ble A.P. Administrative Tribunal, Government ordered filing of appeal in the Hon'ble High Court of AP, vide reference Eighth read above; and, accordingly, W.P.No. 27645/2009 was filed vide reference ninth read above. But, no stay orders were issued by the Hon'ble High Court of AP.

6 In the meantime, Sri T.S.S. Ramakrishnaiah filed C.A.No:1146/2009 in O.A.No:6464/2007 for not implementing the above said orders dated 8-9-2009 of Hon'ble A.P. Administrative Tribunal, in O.A.No:6617/07 and batch cases vide reference Tenth read above.

7 On the above said entire issue, including the orders of Hon'ble A.P. Administrative Tribunal in O.As / C.A etc., Commissioner, Panchayat Raj & Rural Employment stated that out of above said 8 Senior Inspectors of Co-operative Dept., figuring in the above said O.As., three (3) Senior Inspectors retired and one (1) Senior Inspectors of Co-operative Dept., expired in Panchayat Raj & Rural Development Dept., and four (4) Senior Inspectors of Co-operative Dept., are repatriated from Panchayat Raj & Rural Development Dept., and are yet to join in Co-operative Dept., vide reference Eleventh read above.

8. Government, after careful examination, observe that the Commissioner, Panchayat Raj & Rural Employment in his Proceedings No.16802/CPR/II/96, dt.09-3-2000 issued absorption orders to the Senior Inspectors of Co-operative Department with retrospective effect, i.e., with effect from the dates mentioned against their names, whereas any orders of absorption shall be with effect from the date of issue of orders only; and, hence decide and hereby (A) modify the absorption orders issued by the Commissioner, Panchayat Raj & Rural Employment in Proc.No:16802/CPR/II/96, dt.09-3-2000, w.e.f., the date of issue of orders only i.e., w.e.f., 09-3-2000 only; and, also vacate the stay orders issued in Govt. Memo No.9207/Mdl.II/2000-1, dated 30-3-2000; and, consequently on re-consideration of the entire issue, including the orders of Hon'ble A.P. Administrative Tribunal dated 8-9-2009 in O.A.No:6617/2007 and batch cases, C.A.No:1146/2009 in O.A.No.6464/2007 and the report of the Commissioner, Panchayat Raj & Rural Employment in the matter, decide to implement the

orders of Hon'ble A.P. Administrative Tribunal, dated 8-9-2009 in O.A.No: 6617/2007 and batch cases; and, hereby (B) order that the pensionary benefits of the three (3) Senior Inspectors, Co-operative Dept., retired in Panchayat Raj & Rural Development Dept., and one (1) Senior Inspectors expired in Panchayat Raj & Rural Development Dept., shall be settled; and, the remaining four (4) Senior Inspectors of Co-op Dept., now re-designated as Extension Officer (PR&RD) be issued posting orders in Panchayat Raj & Rural Development Dept., as per the orders of the Hon'ble A.P. Administrative Tribunal in O.A.No.6617/2007 and batch cases, dated 8-9-2009.

10. The Commissioner, Panchayat Raj & Rural Employment shall take necessary further action accordingly, in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C. SASTRY
PRINCIPAL SECRETARY TO GOVERNMENT

To

The Commissioner, Panchayat Raj & Rural Employment, A.P., Hyderabad.

The Commissioner, Co-operation & Registrar of Co-operative societies,
Hyderabad.

The individuals through Commissioner, PR&RE, AP, Hyderabad.

Copy to:

The Agriculture & Co-operation Department.

P.S to Minister (Panchayat Raj)

P.S to Principal Secretary to C.M.

P.S. to Principal Secretary (PR)

The Government Pleader for Panchayat Raj, APAT, Hyderabad.

The G.P. for Services-II, APHC, Hyderabad(w.r.t. W.P.No.27645/2009)

Sf/Sc.

//FORWARDED::BY ORDER//

SECTION OFFICER